IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.5221 OF 2003.

IN

CRIMINAL APPEAL NO.1468 OF 2003.

Shri Shankar Ganpat Narale : Appellant.

versus

The State of Maharashtra : Respondent.

Mr.Dilip Bodake for the appellant/accused.

Mr.A.S.Gadkari, APP, for the State.

CORAM : D.G.DESHPANDE,J.

DATED : 2nd December 2004.

P.C.

1. When the matter appeared before me on 20th April 2004 the learened APP for the State made a statement that the State has filed an Appeal against acquittal under sections 498A and 302 of the Indian Penal Code and since that appeal was to be heard by the Division Bench, I

directed that matter to be placed before Division Bench. However, Justice Kanade by his order dated 15th October 2004 again directed the matter to be placed before me. Therefore, this application for bail is on board before me.

2. This is an application for bail. The accused is convicted under Sections 498-A and 325 of the Indian Penal Code and sentenced to suffer R.I. for two years each i.e. concurrent sentence. He is already in jail for more than one year i.e. since 18.11.2003. The learned APP for the State admits that though the appeal is filed by them as stated above it has not yet been admitted. Looking to the nature of conviction, sentence awarded and the fact that the accused is in jail for more than one year, the appellant/accused be released on his P.R. bond of Rs.7,500/- [Rupees Seven thousand five hundred] with one solvent surety in the like amount. Application is disposed of.

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